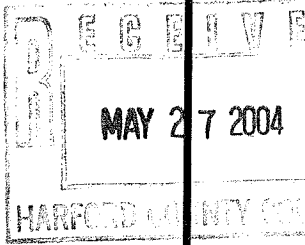


STANDARD APPLICATION
Harford County
Board of Appeals
Bel Air, Maryland 21014



Case No. 5429
Date Filed 5/25/04
Hearing Date _____
Receipt _____
Fee \$400

Shaded Areas for Office Use Only

Type of Application

Nature of Request and Section(s) of Code

- ☐ Administrative Decision/Interpretation
☒ Special Exception
☐ Use Variance
☐ Change/Extension of Non-Conforming Use
☐ Minor Area Variance
☐ Area Variance
☐ Variance from Requirements of the Code
☐ Zoning Map/Drafting Correction
☒ Modification of Special Exception

CASE 5429 MAP 44 TYPE Special Exception

ELECTION DISTRICT 6 LOCATION Southeast of the intersection of Level & Lapidum Roads
BY Florida Rock Industries Inc. and The Arundel Corporation, 34 Loveton Circle, Sparks, Md. 21152

Appealed because a Special Exception pursuant to Section 267-53E(1) of the Harford County Code to allow overburden storage as part of a mineral extraction and processing use on the subject properties and if necessary, a modification of Case #4103 pursuant to Section 267-52B of the Harford County Code in an Agricultural, R1, and R2 District requires approval by the Board.

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Applicant/Owner (please print or type)

Name Florida Rock Industries, Inc. Phone Number Call Attorney

Address 34 Loveton Circle Sparks MD 21152
Street Number Street City State Zip Code

Co-Applicant The Arundel Corporation Phone Number Call Attorney

Address 34 Loveton Circle Sparks MD 21152
Street Number Street City State Zip Code

Contract Purchaser N/A Phone Number _____

Address _____
Street Number Street City State Zip Code

Attorney/Representative John J. Gessner Phone Number 410-893-7500

Address 11 S. Main Street Bel Air MD 21014
Street Number Street City State Zip Code

Land Description

Address and Location of Property See attached list

Subdivision _____

Lot Number see attached

Acreage/Lot Size see attached Election District 6

Zoning see attached

Tax Map No. 44 Grid No. see attached Parcel see attached Water/Sewer: Private X Public _____

List ALL structures on property and current use: gravel pit; various accessory structures-office,
scale house, plant (crushing operation)

Estimated time required to present case: _____

If this Appeal is in reference to a Building Permit, state number N/A

Would approval of this petition violate the covenants and restrictions for your property? N/A

Is this property located within the County's Chesapeake Bay Critical Area? Yes _____ No X

If so, what is the Critical Area Land Use designations: _____

Is this request the result of a zoning enforcement investigation? Yes _____ No X

Is this request within one (1) mile of any incorporated town limits? Yes X No _____

Request

See attached

Justification

See attached

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

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**FIRST AMENDED ATTACHMENT TO APPLICATION OF FLORIDA ROCK
INDUSTRIES, INC. AND THE ARUNDEL CORPORATION, A WHOLLY OWNED
SUBSIDIARY OF FLORIDA ROCK INDUSTRIES, INC.**

REQUEST:

1. Special Exception approval pursuant to Section 267-53(E)(1) of the Code to place an overburden stockpile as a part of a mineral extraction and processing use on the subject property zoned R-1, Urban Residential, and AG, Agricultural, as shown on the attached site plan.
2. If necessary, modification of the special exception approval granted in Board of Appeals Case No. 4103 pursuant to Section 267-52(B) of the Harford County Zoning Code ("Code") to permit the Applicant to place an overburden storage pile as a part of a mineral extraction and processing use on the subject property zoned AG, Agricultural as shown on the attached site plan.

JUSTIFICATION:

The proposed use is compatible with uses permitted as of right in the AG zoning district and the R-1 zoning district. The Applicants (collectively "TAC") own and operate a stone quarry located on the west bank of the Susquehanna River, just north of the City of Havre de Grace, Harford County Maryland. In order to mine the stone which is located underground, a layer of dirt, also known as overburden, located between the stone and the surface of the earth, must be removed and stored. Due to permitting constraints, overburden which was removed from the earth to mine stone located in other areas of the quarry, has been stored in piles on the surface above areas of stone still to be mined. To access the stone still to be mined, the storage piles of overburden (approximately 8 million cubic yards) must be moved. TAC currently has approval from both the Maryland Department of the Environment ("MDE"), Minerals, Oil and Gas Division ("MOG") and the Harford County Board of Appeals ("Board") to mine the stone under the overburden stockpiles. TAC has requested approval from MOG showing this change in the mining plan. TAC is requesting special exception approval from the Board to relocate the existing overburden stockpiles and, if necessary, modify its existing approval to do so.

TAC proposes to move the existing overburden stockpiles by truck and create new stockpiles at a location on property owned by TAC not currently used in mining operations approximately 600-1000 feet away from the location of the existing stockpiles as shown on the attached site plan. The location of the relocated stockpiles will meet or exceed all setback requirements for mineral extraction activities under the Harford County Zoning Code for properties not owned by TAC.

A new gravel road will be constructed on the site to enable trucks to haul the overburden to the new location ("Haul Road"). The relocated stockpiles will be screened by existing trees and new trees to be planted. If the overburden cannot be moved as proposed, it must be moved off site via trucks on Route 155. TAC does not require approval from either MDE or the Board to move the overburden off site by truck. However, moving the overburden

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off site will create impacts on the surrounding properties and road network which TAC seeks to avoid.

All work to relocate the overburden stockpiles ("Work") shall be performed in compliance with applicable laws including, but not limited to, those dealing with sediment and erosion control. Plans to perform the Work must be approved in advance by MDE and Harford County. TAC has requested approval from MDE to perform the Work and will receive it prior to the zoning hearing to be held before the Hearing Examiner. All Work will be performed in four stages as described herein and as shown on the attached site plan. Prior to the commencement of the Work, all sediment and erosion controls for the Haul Road and first stage will be installed. Second, the area where the Haul Road and first storage area will be cleared and prepared. Third, the Haul Road will be constructed and hauling of the existing overburden will begin. The relocated overburden stockpiles will then be constructed by placing lifts or layers of overburden on top of one another. A 20-foot high berm will be constructed on the outer edge of each lift, which will attenuate noise. Work will continue behind the berm until the next lift is begun. (The previous berm then becomes the outside edge of the next lift). This sequence will be repeated until construction of the overburden stockpiles is complete. The maximum height of each relocated overburden stockpile will be one hundred sixty (160) feet above the existing surface.

Stages one, two and three will each require approximately three years to complete. Stage 4 may be completed over a 6-year period.

Trees will be planted on top of the overburden stockpile constructed during the first stage.

The following vehicles and equipment will be utilized to construct the Haul Road, new overburden stockpiles and berms:

Wheel loader
85 ton haul truck
100 ton truck
70 ton haul truck
Track dozer
Water truck
Contractor equipment; articulated trucks, pans, etc.

While the Work is being performed, TAC will use water trucks to spray water on the overburden, the Haul Road and the overburden stockpiles to control dust. All Work shall be performed Monday through Saturday from 6:00 a.m. to 6:00 p.m. No Sunday operations will be conducted.

JAMES M. HARKINS
HARFORD COUNTY EXECUTIVE

JOHN J. O'NEILL, JR.
DIRECTOR OF ADMINISTRATION



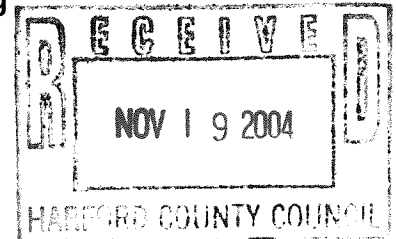
J. STEVEN KALL-ZIEGLER
DIRECTOR OF PLANNING & ZONING

HARFORD COUNTY GOVERNMENT

Department of Planning and Zoning

June 8, 2004

STAFF REPORT



BOARD OF APPEALS CASE NO. 5429

APPLICANT/OWNER: Florida Rock Industries, Inc.
34 Loveton Circle, Sparks, Maryland 21152

Co-APPLICANT: The Arundel Corporation
34 Loveton Circle, Sparks, Maryland 21152

REPRESENTATIVE: John J. Gessner
11 S. Main Street, Bel Air, Maryland 21014

LOCATION: North side of Level Road, MD 155, north of the City Limits of
Havre de Grace
Tax Map: 44 / Grid: Parcel: See Attachment 1
Election District: Six (6)

ACREAGE: See Attachment 1

ZONING: AG/Agricultural, R1-Urban Residential Districts (See Attachments
1 for the zoning of individual parcels)

DATE FILED: May 25, 2004

HEARING DATE: December 1, 2004, December 8, 2004, December 15, 2004,
January 12, 2005, January 26, 2005, February 2, 2005

APPLICANT'S REQUEST and JUSTIFICATION:

See ATTACHMENT 2.

Preserving our values, protecting our future

MY DIRECT PHONE NUMBER IS (410) 638-3103

220 SOUTH MAIN STREET BEL AIR, MARYLAND 21014 410-638-3000 • 410-879-2000 • TTY 410-638-3086 • www.co.ha.md.us

This document is available in alternative format upon request.

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CODE REQUIREMENTS:

The Applicants are requesting a special exception pursuant to Section 267-53E (1) of the Harford County Code, to allow overburden storage as part of a mineral extraction and processing use on the subject properties and if necessary, a modification of Case 4103 pursuant to Section 267-52B of the Harford County Code, to permit the Applicant to place an overburden storage pile as part of a mineral extraction and processing use, in the AG/Agricultural and R1 /Urban Residential Districts.

Section 267-53E (1) of the Harford County Code reads:

E. *Natural Resource Uses. [Amended by Bill Nos. 88-85; 88-87; 97-80]*

- (1) *Mineral extraction and processing. These uses may be granted in the AG, RR, R, R1, R2, R3, R4, RO, VR, VB, B1, B2 and B3 Districts, provided that:*
 - (a) *A permit for such use has been approved by the Maryland Department of the Environment.*
 - (b) *No building or structure shall be located within 100 feet of any road right-of-way or adjoining property line.*
 - (c) *The following buffer requirements shall be maintained:*
 - [i] *All areas in which extraction, washing, crushing, processing, blasting, overburden storage or disposal or similar activities occur shall be at least 800 feet from the property line of any parcel with an R1, R2, R3, R4, VR or RO zoning classification; and*
 - [ii] *All areas in which extraction, washing, crushing, processing, blasting or similar activities occur shall be at least 200 feet from the property line of any parcel with an AG or RR zoning classification.*
 - (d) *Existing trees and ground cover along public road frontage shall be preserved, maintained and supplemented by the selective cutting, transplanting and addition of trees, shrubs and other ground cover for the depth of the front yard setback. Where it is determined that landscaping is not practical because of soil and/or operation conditions, other screening shall be provided.*
 - (e) *Any use authorized as a conditional use pursuant to Board of Appeals approval prior to the effective date of this Part 1, as amended, shall comply with the conditions as previously established. Any use authorized after the effective date of this Part 1, as amended, may proceed, subject to the conditions of this section. Where a conditional use or special exception has been granted, any modification or change of operations affecting the conditions or expansion of the use shall be subject to approval by the Board of Appeals.*
 - (f) *The Director of Planning and Zoning annually shall require all active mining operations that operate subject to a Board of Appeals decision to*

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submit to the Department a certificate of compliance. The certification shall be signed by the Chief Executive Officer and the Plant Operator/Manager of the company, which owns the property and shall state whether the mining operation is in compliance with all of the conditions in the Board's decision. The certificate of compliance shall include detailed information to address the conditions imposed as part of the Board of Appeals case. The Director of the Department of Planning and Zoning may require any additional information needed to verify compliance, such as, but not limited to a property line or topographic survey or part or all of the property sealed by a professional land surveyor or registered property line surveyor.

Section 267-52B of the Harford County Code reads:

- B. A special exception grant or approval shall be limited to the final site plan approved by the Board. Any substantial modification to the approved site plan shall require further Board approval.*

Enclosed with the report is a copy of Section 267-51 and 267-52 of the Harford County Code (Attachment 3).

Section 267-9I of the Harford County Code will be discussed in detail later in the report.

LAND USE and ZONING ANALYSIS:

Land Use – Master Plan:

The subject property, owned by The Arundel Corporation, is located in the eastern area of the County, near the City Limits of Havre de Grace. The property is generally bordered by Interstate I-95 on the north side, the City Limits of Havre de Grace on the south side, the Susquehanna Power Company which claims the shoreline along the river, and Lapidum Road on the west side. A location map and a copy of the Applicants' site plan are enclosed (Attachments 4 and 5). Also enclosed are plans showing the phasing of the overburden storage area and renderings of the stockpile along with sight lines of the stockpile (Attachments 6, 7 and 8).

The 2004 Land Use Plan shows three land use designations in this area of the county. Low Intensity is located at the interchange of I-95 and MD 155 and continues east, including approximately half of the applicants' property. Continuing east is an area of Industrial/Employment. There is also an area of Agricultural located below I-95 along the river. The area of the property within 1000 feet of the river is within the Chesapeake Bay Critical Area. The Natural Features Map also reflects Sensitive Species Project Review areas. These land use designations are defined by the 2004 Land Use Plans as:

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Agricultural – Areas where agriculture is the primary land use, but where developments rights are available. Residential development is possible at a density of 1.0 dwelling unit for every 10 acres. Commercial uses within this area are intended to serve the agriculture industry or residents of the area while maintaining the character of the surrounding countryside.

Low Intensity – Areas within the Development Envelope where residential development is the primary land use. Density ranges from 1.0 to 3.5 dwelling units per acre. Neighborhood commercial uses such as convenience stores, doctors' offices, and banks are example of some of the nonresidential uses associated with this designation.

Industrial/Employment – Areas of concentrated manufacturing, distribution, technical, research, office, and other activities generally located along major transportation corridors.

Chesapeake Bay Critical Area – Areas generally within 1,000 feet of tidal waters and tidal wetlands, including expansion areas necessary for the protection of identified sensitive natural features and natural habitat protection areas.

Enclosed with the report are copies of portions of the 2004 Land Use Map and the Natural Features Map (Attachments 9 and 10).

Land Use – Existing:

Land uses in the area include single-family dwellings, townhouses, agriculture, and institutional uses. The overall terrain of this area ranges from rolling to steep (Attachment 11). The main access to the site is from MD Route 155, opposite the entrance to the Grace Harbour development. Enclosed with the report is a copy of the aerial photograph (Attachment 12).

Zoning:

The overall zoning classifications are consistent with the existing land uses and the 2004 Land Use Plan. There are large areas of AG/Agricultural zoning along with areas zoned R1 and R2/Urban Residential District. There is an area of GI/General Industrial and a small area of B1 Neighborhood/Business. The applicants' property is zoned R1/Urban Residential, AG/Agricultural and GI/General Industrial. Enclosed with the file is a copy of the zoning map (Attachment 13).

SUMMARY:

The Applicants are requesting a special exception pursuant to Section 267-53E (1) of the Harford County Code, to allow overburden storage as part of a mineral extraction and processing use on the subject properties and if necessary, a modification of Case 4103 pursuant to Section 267-52B

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of the Harford County Code, to permit the Applicant to place an overburden storage pile as part of a mineral extraction and processing use, in the AG/Agricultural and R1 /Urban Residential Districts.

Section 267-53E (1):

E. Natural Resource Uses. [Amended by Bill Nos. 88-85; 88-87; 97-80]

(1) Mineral extraction and processing. These uses may be granted in the AG, RR, R, R1, R2, R3, R4, RO, VR, VB, B1, B2 and B3 Districts, provided that:

The proposed overburden storage area will be located in the AG/Agricultural and the R1/Urban Residential District. The quarry received previous approvals in Board of Appeals Case No. 409, No. 529, Case No. 3303, and No. 4103. The present request proposes to modify Case No. 4103 by moving the overburden stockpile as shown on the site plan. Attached are copies of the approvals in those cases (Attachment 14,15,16, and 17).

(a) A permit for such use has been approved by the Maryland Department of the Environment.

The applicants requested a modification of the existing mining permit (No. 77-SP-0036) from the Maryland Department of the Environment on August 26, 2003. The request was to add an additional 38 acres of overburden storage and to delete 47 acres previously permitted. The new permit area exceeds 414 acres. The Maryland Department of the Environment approved the permit modification request on August 20, 2004.

(b) No building or structure shall be located within 100 feet of any road right-of-way or adjoining property line.

There are no proposed buildings or structures as part of this requirement.

(c) The following buffer requirements shall be maintained:

[I] All areas in which extraction, washing, crushing, processing, blasting, overburden storage or disposal or similar activities occur shall be at least 800 feet from the property line of any parcel with an R1, R2, R3, R4, VR or RO zoning classification; and

The applicants are proposing a 800 foot buffer from adjacent properties zoned R1 for the new overburden storage area. The Department recommends that the buffer along Lapidum Road be increased to 1000 feet.

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- [ii] All areas in which extraction, washing, crushing, processing, blasting or similar activities occur shall be a least 200 feet from the property line of any parcel with an AG or RR zoning classification.*

The current request will not expand the area for extraction, washing, crushing, processing, or blasting. The site plan shows the overburden storage area to be 300 feet from MD Route 155. The Department recommends that the buffer be increased to 500 feet from MD Route 155.

- (d) Existing trees and ground cover along public road frontage shall be preserved, maintained and supplemented by the selective cutting, transplanting and addition of trees, shrubs and other ground cover for the depth of the front yard setback. Where it is determined that landscaping is not practical because of soil and/or operation conditions, other screening shall be provided.*

The existing forest within the established buffers must be maintained.

- (e) Any use authorized as a conditional use pursuant to Board of Appeals approval prior to the effective date of this Part 1, as amended, shall comply with the conditions as previously established. Any use authorized after the effective date of this Part 1, as amended, may proceed, subject to the conditions of this section. Where a conditional use or special exception has been granted, any modification or change of operations affecting the conditions or expansion of the use shall be subject to approval by the Board of Appeals.*

The Applicants are requesting a Special Exception approval and if necessary a modification of Case 4103 in order to place an overburden storage pile as shown on the site plan (Attachment 5).

- (f) The Director of Planning and Zoning annually shall require all active mining operations that operate subject to a Board of Appeals decision to submit to the Department a certificate of compliance. The certification shall be signed by the Chief Executive Officer and the Plant Operator/Manager of the company, which owns the property and shall state whether the mining operation is in compliance with all of the conditions in the Board's decision. The certificate of compliance shall include detailed information to address the conditions imposed as part of the Board of Appeals case. The Director of the Department of Planning and Zoning may require any additional information needed to verify compliance, such as, but not limited to a property line or topographic survey or part or all of the property sealed by a professional land surveyor or registered property line surveyor.*

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This condition must continue to be met by the Applicant. The height of the stockpile must be certified by a licensed surveyor during the construction of the stockpile.

Section 267-52B:

B. A special exception grant or approval shall be limited to the final site plan approved by the Board. Any substantial modification to the approved site plan shall require further Board approval.

The applicant has requested, if necessary, a modification of the approval granted in Board of Appeals case No. 4103. The Department believes that a modification of the previous approval for the new area of overburden storage is necessary.

Section 267-9I:

(1) The number of persons living or working in the immediate area.

The subject property is located north of the City Limits of Havre de Grace. Appropriate buffers and height limitations for the overburden stockpile must be established in order to reduce any impacts on the residents living and working in the area.

(2) Traffic conditions, including facilities for pedestrians, such as sidewalks and parking facilities, the access of vehicles to roads; peak periods of traffic, and proposed roads, but only if construction of such roads will commence within the reasonably foreseeable future.

The proposed request is not anticipated to alter the current impacts from the quarry on the existing road system. This request is only for the new overburden stockpile area.

The Lower Susquehanna Heritage Greenway is a public trail system under development through LSHG with the support of Harford and Cecil counties. The long term goal is for the trail to extend on the Harford County side from Fisherman's Park through Havre de Grace. The Arundel Corporation has signed an agreement with the Department of Natural Resources and Exelon Corporation in support of the trail and future cooperation regarding alignment on the Arundel property. The actual alignment of this segment, and an additional segment to span from Lapidum Road to the City of Havre de Grace, have not been determined at this time. Future planning for the Greenway must include community input and minimize intrusion in established neighborhoods. The Department believes that the increased buffers would allow for appropriate area for the trail as specified in the LSHG management plan.

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- (3) *The orderly growth of the neighborhood and community and the fiscal impact on the county.*

The Arundel Corporation has operated from this site for numerous years. The stone mined is a necessary building material and is used in road construction and other public and private construction projects. Overburden storage is a necessary part of any quarry operation. In order for the quarry to expand into the approved mineral extraction area, the applicants wish to establish a new overburden storage area. With appropriate conditions, the request should not have an adverse impact on the orderly growth of the neighborhood or have an adverse fiscal impact on the county.

- (4) *The effect of odors, dust, gas, smoke, fumes, vibration, glare and noise upon the use of surrounding properties.*

The construction of the overburden storage area will create some impacts in regards to dust and noise. Conditions on the hours of operation and dust control measures as well as the sequencing of construction must be established to reduce impacts on the surrounding residential neighborhoods.

- (5) *Facilities for police, fire protection, sewerage, water, trash and garbage collection and disposal and the ability of the county or persons to supply such services.*

It will be necessary to make sure that the overburden storage area will not interfere with any public safety communications system. Therefore the Department would recommend that as a condition of approval, the applicant must submit a study from a Radio Frequency Engineer that certifies that the overburden storage area will not interfere with any public safety communications systems.

- (6) *The degree to which the development is consistent with generally accepted engineering and planning principles and practices.*

The County and the State of Maryland have identified the need to protect and manage mineral resources. The Department has recommended conditions of approval which should allow for some overburden storage and also provide protection for the residents in the area.

- (7) *The structures in the vicinity, such as schools, houses of worship, theaters, hospitals and similar places of public use.*

The main entrance to the quarry has been moved from its original location at the end of River Road to the west, directly off MD Route 155, reducing impacts to the surrounding residential community and Meadowvale Elementary School. The proposed overburden storage area should not impact the school.

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- (8) *The purposes set forth in this Part 1, the Master Plan and related studies for land use, roads, parks, schools, sewers, water, population, recreation and the like.*

The proposal is generally in compliance with the Goals and Objectives of the 2004 Master Plan and 2004 Land Use Element Plan. The State has identified the need to protect and manage mineral resources. The Land Use Plan identifies the need to assure the continued viability of these resources, while maintaining a high quality of life for residents. The proposed request would allow the quarry to access the stone resources in an area already approved for extraction. Appropriate conditions for the height of the overburden storage area and buffers from the adjacent residences must be established to reduce impacts on the surrounding community.

- (9) *The environmental impact, the effect on sensitive natural features and opportunities for recreation and open space.*

The property is shown as a sensitive species project review area. The request should have no adverse impact on rare, threatened or endangered species. The current proposal has no additional impacts to the Chesapeake Bay Critical Area and Habitat Protection Areas.

- (10) *The preservation of cultural and historic landmarks.*

Historic inventoried sites HA526 and HA525 (Zion Hill and Mt. Felix) are located across MD Route 155 to the south of the proposed overburden storage area. The proposed buffer width and height are of concern in regards to the views had from these sites. The Department has therefore recommended that the width of the buffer be increased to 500 feet from MD Route 155 and the height be reduced to elevation 440 within 1,000 feet of MD Route 155. The overall height of the overburden stockpile should be reduced to elevation 480.

RECOMMENDATION and or SUGGESTED CONDITIONS:

The Department recommends approval subject to the following conditions:

1. The overburden storage area shall be located a minimum of 1,000 feet from Lapidum Road and 500 feet from MD Route 155.
2. The height of the overburden stockpile shall not exceed elevation 440 within 1,000 feet of the right-of-way of MD Route 155 with an overall height not to exceed elevation 480. The height of the stockpile will be certified by a licensed surveyor every 3 months during construction of the stockpile. The applicant shall provide this information to the Department of Planning and Zoning.
3. The construction of the stockpile shall be phased so as to require the construction, stabilization and vegetation of a sound barrier/berm before soil is placed in each phase.
4. The existing forest within the buffer area shall be maintained.

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5. All equipment used in the construction of the stockpile will be operated with manufacturer installed noise suppression devices. Arundel will comply with all applicable State noise limits.
6. Work on the stockpile shall be limited to Monday through Friday. Hours of operation for the stockpile shall be from 7AM to 5PM.
7. Appropriate controls shall be in place to reduce dust. These controls shall include:
 - a. Watering the dirt at the point of excavation.
 - b. Watering the haul road used by the trucks moving the dirt.
 - c. Temporarily halting work if a dust cloud arises.
8. The stockpile shall be vegetated as soon as possible during construction.
9. The applicant shall submit to the Department of Planning and Zoning a study certified by a Radio Frequency Engineer, demonstrating that the proposed overburden storage area will not interfere with any public safety communications system.
10. All other conditions of the previous cases shall remain in effect unless specifically altered by this approval.
11. The Applicant shall continue to provide the required Certificate of Compliance pursuant to Section 267-53E(i)(f) to the Department of Planning and Zoning.

for 
Dennis J. Sigler, Coordinator
Zoning & Board of Appeals Review


Anthony S. McClune, AICP
Deputy Director, Planning and Zoning

DJS/ASM/jf